

This Administrative Order by Consent (hereafter called "Consent Order") is entered into by the United States Environmental Protection Agency (hereafter called "EPA") with the Respondents who have executed this Consent Order pursuant to the authority vested in the President of the United States by Section 104 and Section 122(d)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (hereafter called "CERCLA"), 42 U.S.C. §9604 and §9622(d)(3), as amended by the Superfund Amendments and Reauthorization Act of 1986 (hereafter called "SARA"). Some of this Presidential authority was delegated to the Administrator of EPA by Executive Order 12316 dated August 14, 1981, 46 Fed. Reg. 42,237 (Aug. 20, 1981) which was redelegated on April 16, 1984 to Regional Administrators in EPA Delegation No. 14-14-A. SARA portions of the above-cited sections were delegated by the President to the Administrator of EPA by Executive Order 12580 dated January 26, 1987, 52 Federal Register 2923 (Jan. 29, 1987). (See interim delegations of the Administrator of EPA to Regional Administrators and Assistant Administrators 14-8-B, and 14-14-C, dated February 26, 1987.) These interim delegations authorize Regional Administrators (with the concurrence of EPA Headquarters Assistant Administrators) to enter into administrative orders by consent to perform remedial investigations and feasibility studies (hereafter called "RI/FS").

The Respondents agree to undertake all actions required of them by the terms and conditions of this Consent Order for the conduct and implementation of a remedial investigation and feasibility study at the Yellow Water Road Site and any additional work agreed to pursuant to Part VI.K. below.

Solely for the purposes of this Consent Order, the Respondents consent to and agree not to contest EPA jurisdiction to issue this Consent Order. Respondents consent to jurisdiction for purposes of entry and enforcement of this Consent Order by EPA. Provided however, the Respondents do not admit, accept, concede, or acknowledge, and specifically deny the determinations, allegations, findings of fact, and conclusions of law made by EPA in this Consent Order and specifically reserve the right to contest any such determinations, allegations, findings, and conclusions in any proceeding regarding the Yellow Water Road Site (hereafter called the "Site") other than actions brought by EPA to enforce this Consent Order. Furthermore, Respondents specifically deny any fault or liability under CERCLA/SARA or any other statutory or common law and any responsibility for response costs or damages thereunder, and do not, by signing this Consent Order, waive any rights they may have to assert claims under CERCLA/SARA against any person, as defined in Section 101(21) of CERCLA, 42 U.S.C. §9601(21), or the Superfund. The State of Florida's performance and obligation to expend money under this Consent Order is contingent upon an annual appropriation by the state legislature. Failure of the Florida Legislature to appropriate funds to meet the State's obligations under this Consent Order will not be grounds for incomplete execution of this Consent Order by the Respondents.

II. STATEMENT OF PURPOSE

In entering into this Consent Order, the mutual objectives of EPA and the Respondents are: (1) to determine fully the nature and extent of the threat to the public health or welfare or the environment caused by the release or threatened release of hazardous substances, pollutants and/or contaminants from the Yellow Water Road Site (Remedial Investigation), and (2) to evaluate alternatives for the appropriate extent of remedial action to prevent or mitigate the migration or the release or threatened release of hazardous substances, pollutants and/or contaminants from the Yellow Water Road Site (Feasibility Study). The activities conducted pursuant to this Consent Order are subject to approval by EPA and shall be consistent with the National Contingency Plan, 40 CFR Part 300.68 (a) - (j) (47 Federal Register 31180 (July 16, 1982), revised at 48 Federal Register 40658 (September 8, 1983). and at 48 Federal Register 47973 (November 20, 1985)).

III. EPA FINDINGS OF FACT

The following constitutes an outline of the facts upon which this Consent Order is based:

- A. The Yellow Water Road Site is located one mile south of the town of Baldwin, Duval County, Florida, on the Yellow Water Road, State Route 217.
- B. The Respondents are alleged to be generators of waste present at the site.
- C. This site was added to the National Priorities List in May, 1986 as defined in Section 105 of CERCLA, 42 U.S.C. §9605.
- D. Present at this site in June 1987, were approximately 650 transformers, approximately 100,000 gallons of liquids, at least 3000 cubic yards of contaminated soil. EPA personnel tested the liquids and found them to contain Polychlorinated Biphenyls ("PCBs").

IV. EPA CONCLUSIONS OF LAW

- A. The Site is a facility within the meaning of Section 101(9) of CERCLA, 42 U.S.C. §9601(9).
- B. The Respondents are persons as defined in Section 101(21) of CERCLA, 42 U.S.C. §9601(21).
- C. Polychlorinated Biphenyls ("PCBs") are hazardous substances within the meaning of Section 101(14) of CERCLA, 42 U.S.C. §9601(14).
- D. The hazardous substances described above were utilized at the facility in such a manner that they have been released into the environment and their potential migration pathways constitute both an actual release and threatened release within the meaning of Section 101(22) of CERCLA, 42 U.S.C. §9601(22).

V. DETERMINATION

Based on the Findings of Fact and Conclusions of Law set out above, EPA has determined that:

- A. The actual and/or threatened release of hazardous substances from the Site may present an imminent and substantial endangerment to the public health and/or welfare and/or the environment.

- B. The actions required by this Consent Order are necessary to protect the public health and/or welfare and/or the environment.
- C. In accordance with Section 104(a)(1) of CERCLA, 42 U.S.C. §9604(a)(1), as amended by SARA, EPA has determined that the Respondents will properly and promptly conduct the RI/FS and are qualified to do so.

VI. WORK TO BE PERFORMED

All work performed pursuant to this Consent Order shall be under the direction and supervision of a qualified professional engineer or a certified geologist with expertise in hazardous waste site cleanup. Prior to the initiation of the Site work, the Respondent shall notify EPA in writing regarding the identity of such engineer or geologist and of any contractors and/or subcontractors to be used in carrying out the terms of this Consent Order.

Based on the foregoing, it is hereby AGREED TO AND ORDERED that the following work shall be performed:

- A. Within thirty (30) days of the effective date of this Consent Order, the Respondents shall submit to EPA a plan for a complete Remedial Investigation and Feasibility Study ("RI/FS Work Plan"). This plan shall be developed in accordance with the EPA Remedial Investigation and Feasibility Study guidance documents which have been provided to the Respondent by EPA ("Guidance on Remedial Investigations under CERCLA" and "Guidance on Feasibility Studies under CERCLA", both dated June, 1985) and with Section 121 of the Superfund Amendments and Reauthorization Act of 1986. As described in this guidance, the RI/FS Work Plan must include, at a minimum a sampling plan and a schedule for deliverables and for completing the RI/FS. The Project Operations Plan ("POP") shall be submitted within thirty (30) calendar days after EPA approval of the RI/FS Work Plan. The POP must include: (1) a detailed sampling plan, (2) a health and safety plan, (3) a plan for satisfaction of permitting requirements, (4) a description of chain-of-custody procedures, and (5) a description of quality control and quality assurance procedures. The RI/FS Work Plan and all other reports and plans shall be subject to review, modification, and approval by EPA.
- B. Within forty-five (45) calendar days after receipt of the RI/FS Work Plan by EPA, EPA shall notify the Respondents in writing of EPA's approval or disapproval of the RI/FS Work Plan or any part thereof. In the event of any disapproval, EPA shall specify in writing both the deficiencies and any EPA recommended modifications regarding the RI/FS Work Plan.

- C. Within thirty (30) calendar days of the receipt of EPA notification of RI/FS Work Plan disapproval, the Respondents shall amend and submit to EPA a revised RI/FS Work Plan. In the event of subsequent disapproval of the RI/FS Work Plan, and upon completion of the dispute process contained in Section XII herein below, EPA retains the right to conduct a complete RI/FS pursuant to its authority under CERCLA/SARA.
- D. The Respondents shall implement the tasks detailed in the Remedial Investigation and Feasibility Study Work Plan ("RI/FS Work Plan") subject to the provisions of Section XII herein below. Upon approval by EPA, the RI/FS Work Plan will be attached to and incorporated in this Consent Order (Attachment 1). This work shall be conducted in accordance with the EPA Remedial Investigation and Feasibility Study guidance documents, and with the standards, specifications, and schedule contained in the RI/FS Work Plan.
- E. Within seven (7) calendar days of approval of the RI/FS Work Plan by EPA, Respondents shall commence Task 1 of the RI/FS Work Plan.
- F. The Respondents shall provide monthly written progress reports to EPA according to the schedule contained in the RI/FS Work Plan. At a minimum, these progress reports shall: (1) describe the actions which have been taken toward achieving compliance with this Consent Order, (2) include all results of sampling and tests and all other data received by the Respondents, and (3) include all plans and procedures completed subsequent to EPA approval of the RI/FS Work Plan during the past month, as well as such actions, data, and plans which are scheduled for the next month. These reports are to be submitted to EPA by the tenth (10th) day of each month following the date of EPA approval of the RI/FS Work Plan.
- G. The Respondents shall provide preliminary and final reports to EPA according to the schedule contained in the RI/FS Work Plan.
- H. EPA shall review the preliminary and final reports and within forty-five (45) calendar days after receipt by EPA of such reports, EPA shall notify the Respondents in writing of EPA's approval or disapproval of these reports or any part thereof. In the event of any disapproval, EPA shall specify in writing both the deficiencies and the reasons for such disapproval.
- I. Within thirty (30) calendar days after receipt of EPA notification of preliminary or final report disapproval, the Respondents shall amend and submit to EPA the revised reports

pursuant to EPA review if in addressing the revisions additional field or laboratory work is not required. If field or laboratory work is required to complete the revisions, then EPA and the Respondents shall agree on an appropriate amount of time for preparation of the report. In the event of disapproval, EPA retains the right to amend such reports, to perform additional studies, and to conduct a complete Remedial Investigation and Feasibility Study pursuant to its authority under CERCLA/SARA.

- J. Documents, including reports, approvals, and other correspondence, to be submitted pursuant to this Consent Order, shall be sent by certified mail to the following addresses or to such other addresses as the Respondents or EPA hereafter may designate in writing:
- 1) Documents (5 copies) to be submitted to EPA should be sent to:
- Ms. Kristina Teepen
Enforcement Project Manager
ERRB, Waste Management Division
U.S. Environmental Protection Agency
345 Courtland Street, N.E.
Atlanta, Georgia 30365
- K. EPA may determine that tasks, including remedial investigatory work and/or engineering evaluation, are necessary as part of the Remedial Investigation and Feasibility Study in addition to those tasks included in the Consent Order and Attachment 1. Should EPA determine that such additional tasks are necessary, EPA shall notify Respondents. Within thirty (30) days of receipt of this notice, Respondents will notify EPA whether or not Respondents agree to the inclusion of these tasks into this Consent Order. Upon written agreement of the parties hereto, this Consent Order may be modified as necessary to address such further investigation or study. Should Respondents not agree to the inclusion of these tasks, EPA retains the right to perform additional work as authorized by CERCLA and to seek cost recovery. Respondents shall not be subject to stipulated penalties for failure to perform tasks not included in the RI/FS Work Plan.

VII. DESIGNATED PROJECT COORDINATORS

On or before the effective date of this Consent Order, EPA and the Respondents shall each designate a Project Coordinator. Each Project Coordinator shall be responsible for overseeing the implementation of this Consent Order. To the maximum extent possible, communications between the Respondents and EPA and all documents, including reports, approvals, and their correspondence, concerning the activities performed pursuant to the terms and conditions of this Consent Order, shall be directed through the Project Coordinators.

During the course of implementation of the work, the Project Coordinators shall, whenever possible, operate by consensus. The Project Coordinators shall attempt to resolve disputes informally through good faith discussion of the issues.

EPA and the Respondents each have the right to change their respective Project Coordinator. Such a change shall be accomplished by notifying the other party in writing at least five (5) calendar days prior to the change.

The EPA-designated On Scene Coordinator ("OSC")/Remedial Project Manager ("RPM") shall have the authority provided by the National Contingency Plan; 40 CFR Part 300 et seq., 47 Federal Register 31180, July 16, 1982, as amended. This includes the authority to halt, conduct, or direct any tasks required by this Consent Order and/or any response actions or portions thereof when conditions present an immediate risk to public health and/or welfare and/or the environment.

The absence of the EPA OSC/RPM from the site shall not be cause for the stoppage of work.

VIII. QUALITY ASSURANCE

The Respondents shall use quality assurance, quality control, and chain-of-custody procedures in accordance with the EPA, Region 4, Environmental Services Division Standard Operating Procedures Manual throughout all sample collection and analysis activities. This manual has been provided to the Respondents by EPA. The Respondents shall consult with EPA in planning for, and prior to, all sampling and analysis as detailed in the RI/FS Work Plan. In order to provide quality assurance and maintain quality control regarding all samples collected pursuant to this Consent Order, the Respondent shall:

- A. Ensure that EPA personnel and/or EPA-authorized representatives are allowed access to the laboratory(s) and personnel utilized by the Respondent for analyses;
- B. Ensure that the laboratory(s) utilized by the Respondents for analyses perform such analyses according to EPA methods or methods deemed satisfactory to EPA and submit all protocols to be used for analyses to EPA at least fourteen (14) calendar days prior to the commencement of analyses;
- C. Ensure that laboratory(s) utilized by the Respondents for analyses participate in an EPA quality assurance/quality control program equivalent to that which is followed by EPA and which is consistent with EPA document QAMS-005/80. As part of such a program, and upon request by EPA, such laboratory(s) shall perform such analyses of samples provided by EPA to demonstrate the quality of each laboratory's analytical data. A maximum annual number of four (4) per

- 8 -

analytical combination, e.g., four aqueous samples by Gas Chromatography/Mass Spectrometry, four soil/sediment samples by Gas Chromatography/Mass Spectrometry, etc., may be provided to each laboratory for analysis.

IX. SITE ACCESS

To the extent that areas covered by the RI/FS Work Plan are presently owned by parties other than those bound by this Consent Order, the Respondents have obtained or will use their reasonable efforts to obtain Site access agreements from the present owners within forty-five (45) calendar days of the effective date of this Consent Order. Such agreements shall provide reasonable access by EPA and/or their authorized representatives. In the event that Site access agreements are not obtained within the time referenced above, the Respondents shall notify EPA regarding both the lack of, and efforts to obtain, such agreements within forty-five (45) calendar days of the effective date of this Consent Order. In such event, EPA will assist the Respondents, or assume the responsibility for obtaining such access. Failure by Respondents to obtain Site access agreements, after use of its best efforts, does not constitute a violation of this Consent Order. Work at an individual site will be delayed until Site access is obtained.

X. SAMPLING, ACCESS, AND DATA/DOCUMENT AVAILABILITY

The Respondents shall make the results of all sampling and/or tests or other data generated by the Respondents or on the Respondents' behalf, with respect to the implementation of this Consent Order, available to EPA and shall submit these results in monthly progress reports as described in Section VI of this Consent Order. EPA will make available to the Respondents the results of sampling and/or tests or other data similarly generated by EPA.

At the request of EPA, the Respondents shall allow split or duplicate samples to be taken by EPA and/or their authorized representatives, of any samples collected by the Respondents pursuant to the implementation of this Consent Order. The Respondents shall notify EPA not less than seventy-two (72) hours in advance of any sample collection activity. This notification may be given verbally in the field by the Respondents to EPA's authorized representative.

EPA shall allow split or duplicate samples to be taken by the Respondents of any samples collected by EPA or its contractors during the performance of work associated with this Consent Order and shall notify the Respondents not less than seventy-two (72) hours in advance of any sample collection activity.

EPA and/or their authorized representative shall have the authority to enter and freely move about all property at the Site at all reasonable times for the purposes of, inter alia: inspecting records, operating logs, and contracts related to the Site; reviewing the progress of the Respondent in carrying out the terms of this Consent Order; conducting such tests as EPA or the Project Coordinator deem necessary; and verifying the data submitted to EPA by the Respondents. The Respondents shall permit such persons to inspect and copy all records, files, photographs, documents, and other writings, including all sampling and monitoring data, in any way pertaining to work undertaken pursuant to this Consent Order. All parties with access to the Site pursuant to this paragraph shall comply with all approved health and safety plans.

The Respondents may assert a confidentiality claim, if appropriate, covering part or all of the information provided under this Consent Order pursuant to 40 CFR §2.203(b). Such an assertion shall be adequately substantiated when the assertion is made. Analytical data shall not be claimed as confidential by the Respondents. Information determined to be confidential by EPA will be afforded the protection specified in 40 CFR Part 2, Subpart B. If no such claim accompanies the information when it is submitted or made available to EPA, it may be made available to the public by EPA without further notice to the Respondents.

XI. RECORD PRESERVATION

EPA and the Respondents agree that each shall preserve, during the pendency of this Consent Order and for a minimum of six (6) years after its termination, all records and documents in their possession or in the possession of their divisions, employees, agents, accountants, contractors, or attorneys which relate to the conduct of the RI/FS, despite any document retention policy to the contrary. After this six (6) year period, the Respondents shall make available to EPA such records or copies of such records except those which are attorney work-product or subject to the attorney-client privilege.

XII. DISPUTE RESOLUTION

If the Respondents object to any EPA notice of disapproval or decision made pursuant to this Consent Order, the Respondents shall notify EPA in writing of its objections within fourteen (14) calendar days of receipt of the decision. EPA and the Respondents then have an additional fourteen (14) calendar days from the receipt by EPA of the notification of objection to reach agreement. If agreement cannot be reached on any issue within this fourteen (14) calendar day period, EPA shall provide a written statement of its decision to the Respondents.

XIII. DELAY IN PERFORMANCE/STIPULATED PENALTIES

If any event occurs which causes delay in the achievement of the requirements of this Consent Order, the Respondents shall have the burden of proving that the delay was caused by circumstances beyond the reasonable control of the Respondents which could not have been overcome by due diligence. The Respondents shall promptly notify EPA's Project Coordinator orally and shall, within ten (10) calendar days of oral notification to EPA, notify EPA in writing of the anticipated length and cause of the delay, the measures taken and/or to be taken to prevent or minimize the delay, and the timetable by which the Respondents intend to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of the Respondent, the time for performance hereunder shall be extended for a period equal to the delay resulting from such circumstances.

If the parties do not agree as to whether or not the circumstances were beyond the reasonable control of the Respondents, the dispute shall be resolved in accordance with the provisions of the "Dispute Resolution" Section (Section XII) of this Consent Order.

Except with respect to any extensions agreed to by the parties in writing, and EPA's consent to an extension shall not be unreasonably withheld, and except for delays from events which constitute a force majeure, the Respondents shall be subject to the imposition of stipulated penalties as set forth below for failure to complete major tasks designated in the RI/FS Work Plan. Those major tasks include the submittal of the preliminary and/or final Remedial Investigation Reports, the preliminary and/or final Feasibility Study Reports, and/or the Endangerment Assessment and/or the Risk Assessment.

Stipulated penalties shall accrue as follows:

For the 8th through the 14th day of failure to comply with the terms and conditions of the Consent Order, there will be a \$250.00 penalty per violation per day; for the 15th through the 44th day of failure to comply with the terms and conditions of the Consent Order, there will be a \$500.00 penalty per violation per day; and for the 45th day and beyond, there will be a \$1,000.00 penalty per violation per day.

Checks should be addressed to:

U.S. Environmental Protection Agency
Superfund Accounting
P. O. Box 371003M
Pittsburgh, PA 15251
Attn: (Collection Officer for Superfund)

XIV. INCORPORATION OF REPORTS

Any reports, plans, specifications, schedules, and attachments required by this Consent Order are, upon approval by EPA, incorporated into this Consent Order. Any non-compliance with such EPA-approved reports, plans, specifications, schedules, and attachments shall be considered a failure to achieve the requirements of this Consent Order.

XV. FORCE MAJEURE

Respondent's activities under this Consent Order shall be performed within the time limits set forth in the RI/FS Work Plan referenced in VI above, unless performance is delayed by events which constitute a force majeure. For purposes of this Consent Order, a force majeure is defined as any event arising from causes beyond the reasonable control of Respondents (for example, but not limited to, fires, natural disasters, riots, wars, unavoidable and unforeseeable labor strikes, adverse weather conditions, contractor failures, and the unforeseeable inability to obtain necessary permits, licenses, certifications) which could not have been prevented by the exercise of due diligence. Increased costs incurred by Respondents in conducting the RI/FS or changed economic circumstances of Respondents shall not be considered as constituting a force majeure.

The Respondents shall notify EPA in writing no later than ten (10) business days from the inception of any event which Respondents contend constitutes a force majeure as defined above. The written notice shall describe fully the nature of the delay, why the delay is beyond the control of the Respondents, the actions taken and/or that will be taken to mitigate, prevent and/or minimize further delay, the anticipated length of the delay and the timetable by which the actions to mitigate, prevent and/or minimize the delay will be taken. The Respondents shall adopt all reasonable measures to avoid or minimize any such delay.

Delay that results from circumstances beyond the control of the Respondents that cannot be overcome by due diligence on the Respondents' part shall not be deemed to be a violation of this Consent Order. To the extent a delay is caused by circumstances beyond the control of the Respondents, the schedule affected by the delay shall be extended for a period equal to the delay resulting from such circumstances.

Failure of the Respondents to comply with the notice requirements of this Section shall constitute a waiver of the Respondents' right to invoke the benefits of this Section with respect to that event.

XVI. RESERVATION OF RIGHTS

Notwithstanding compliance with the terms of this Consent Order, the Respondents are not released from liability, if any, for any actions beyond the terms of this Consent Order taken by EPA respecting the Site. EPA reserves the right to take any enforcement action pursuant to CERCLA/SARA and/or any available legal authority, including the right to seek injunctive relief, monetary penalties, and punitive damages for any violation of law or this Consent Order.

The Respondents and EPA expressly reserve all rights and defenses that they may have, including EPA's right both to disapprove of work performed by the Respondents and to request that the Respondents perform tasks in addition to those detailed in the RI/FS Work Plan, as provided in this Consent Order. In the event that the Respondents decline to perform any additional and/or modified tasks, EPA will have the right to undertake any such work. In addition, EPA reserves the right to undertake removal actions and/or remedial actions, other than those required by this Consent Order, at any time. In either event, EPA reserves the right to seek reimbursement from the Respondents thereafter for such costs incurred by the United States.

Respondents reserve all rights that they have or may have to assert claims against persons or entities for matters arising out of the Site or its operation and ownership, including, but not limited to, claims for breach of contract, indemnity, contribution, nuisance and claims under federal, state and local laws.

XVII. REIMBURSEMENT OF COSTS

At the end of each fiscal year, EPA shall submit to the Respondents an accounting of all oversight costs incurred by the U. S. Government with respect to this Consent Order. The Respondents shall, within thirty (30) calendar days of receipt of that accounting, remit a check for the amount of those costs made payable to the Hazardous Substance Response Fund. Checks should specifically reference the identity of the site and be addressed to:

U. S. Environmental Protection Agency
Superfund Accounting
P. O. Box 371003M
Pittsburgh, PA 15251
Attention: (Collection Officer for Superfund)

A copy of the transmittal letter should be sent to the Project Coordinator.

EPA reserves the right to bring an action against any responsible party pursuant to Section 107 of CERCLA for recovery of all response and oversight costs incurred by the United States related to this Consent Order and not reimbursed by the Respondents, as well as any other past and future costs incurred by the United States from the Fund in connection with response activities conducted pursuant to CERCLA/SARA at this site.

XVIII. OTHER CLAIMS

Nothing herein is intended to release any claims, causes of action or demands in law or equity by EPA or the Respondents against any person, firm, partnership, or corporation, not a signatory to this Consent Order, for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous substances, hazardous wastes, pollutants, or contaminants found at, taken to, or taken from the Site.

This Consent Order does not constitute any decision on preauthorization of funds under Section 111(a)(2) of CERCLA.

XIX. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to this Consent Order shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations unless an exemption from such requirements is specifically provided herein.

XX. INDEMNIFICATION OF THE UNITED STATES GOVERNMENT

The Respondents agree to indemnify and save and hold the United States Environmental Protection Agency, its agencies, departments, agents, and employees, harmless from any and all claims or causes of action arising from or on account of acts or omissions of the Respondents, their agents or assigns, in carrying out the activities pursuant to this Consent Order. EPA is not a party in any contract involving the Respondents at the Site. The liability of EPA, its employees and agents, for their acts and omissions, shall be as set forth in the Federal Torts Claims Act and other applicable statutes. The State of Florida's obligation to indemnify and save and hold harmless is limited to an amount that bears the same ratio to the total amount to be indemnified as the State of Florida's allocation amount bears to the total cost of the remedial action and the State of Florida's obligation to indemnify and save and hold harmless is contingent upon an annual appropriation by the Florida Legislature.

XXI. PUBLIC COMMENT

Upon submittal to EPA of an approved Feasibility Study Final Report, EPA shall make both the Remedial Investigation Final Report and the Feasibility Study Final Report available to the public for review and comment for, at a minimum, a twenty-one (21) day period, pursuant to EPA's Community Relations Policy. Following the public review and comment period, EPA shall notify the Respondents which remedial action alternative is approved for the Site.

XXII. EFFECTIVE DATE AND SUBSEQUENT MODIFICATION

In consideration of the communications between the Respondents and EPA prior to the issuance of this Consent Order concerning its terms, the Respondents agree that there is no need for a settlement conference prior to the effective date of this Consent Order. Therefore, the effective date of this Consent Order shall be the date on which it is signed by EPA.

This Consent Order may be modified by mutual agreement of EPA and the Respondents. Such modifications shall be in writing and shall have as the effective date, that date on which such modifications are signed by EPA.

No informal advice, guidance, suggestions, or comments by EPA regarding reports, plans, specifications, schedules, and any other writing submitted by the Respondents will be construed as relieving the Respondent of their obligation to obtain such formal approval as may be required by this Consent Order.

XXIII. PARTIES BOUND

This Consent Order shall apply to and be binding upon the Respondents and EPA, their agents, successors, and assigns and upon all persons, contractors, and consultants acting under or for either the Respondents or EPA or both.

No change in ownership or corporate or partnership status relating to the Site will in any way alter the status of the Respondents or in any way alter the Respondents' responsibility under this Consent Order. The Respondents will remain the Respondents under this Consent Order and will be responsible for carrying out all activities required of the Respondents under this Consent Order.

The Respondents shall provide a copy of this Consent Order to all contractors, sub-contractors, laboratories, and consultants retained to conduct any portion of the work performed pursuant to this Consent Order within fourteen (14) calendar days of the effective date of this Consent Order or date of such retention.

XXIV. NOTICE TO THE STATE

EPA has notified the State of Florida pursuant to the requirements of Section 106(a) of CERCLA.

XXV. TERMINATION AND SATISFACTION

The provisions of this Consent Order shall be deemed satisfied upon the Respondents' receipt of written notice from EPA that the Respondents have demonstrated, to the satisfaction of EPA, that all of the terms of this Consent Order, including any additional tasks which EPA has determined to be necessary, have been completed and that those actions are consistent with the National Contingency Plan. Upon receipt by Respondents of the above notice, Respondents shall be released from any claim for the cost of a Remedial Investigation/Feasibility Study for the Yellow Water Road Site. The costs incurred by respondents in performing the RI/FS shall not be deemed to be a penalty.

IT IS SO AGREED AND ORDERED:

BY: Lee A. DeHihns, III

SEP 24 1987

Lee A. DeHihns, III
Acting Regional Administrator
U. S. Environmental Protection Agency
Region IV

Date

EFFECTIVE DATE: September 24, 1987

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Respondent (Please type name)

By: (Please type name and
title of Official below)

10 11 0016

SITE:	
DECK:	
CURT:	

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

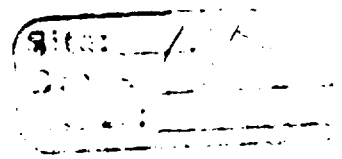
AGRICO CHEMICAL COMPANY
Respondent
(Please type name)

By Don R. Morrow
(Please type name and title of
official below)

Don R. Morrow
Vice President, Florida Operations

10 11 0017

CONSENT



The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Alabama Kraft Company

Respondent

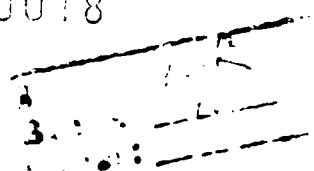
(Please type name)

By

Boyd A. Giles

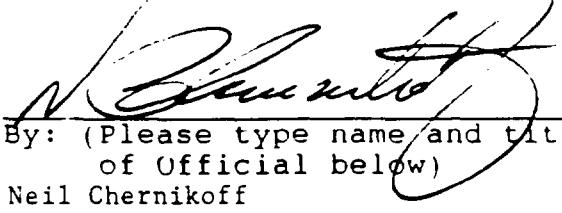
(Please type name and title of
official below)

Boyd A. Giles
Division Manager

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

AMERICAN NATIONAL CAN COMPANY
Respondent (Please type name)


By: (Please type name and title
of Official below)
Neil Chernikoff
Sr. Vice President
Research & Engineering

10 11 0019

File:	
Index:	
Office:	

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

American National Can Company
Respondent
(Please type name)

RAK

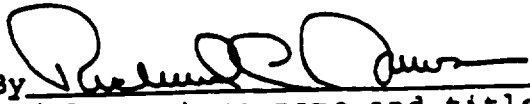
By

William A. Francois
(Please type name and title of
official below)
William A. Francois
Vice President

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Anchor Hocking Corporation
Respondent
(Please type name)

By 
(Please type name and title of
official below)
Richard T. Dawson
Vice President Human Resources
and Assistant Secretary

10 11 0021

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Andrew F. Hodges
Respondent
(Please type name)

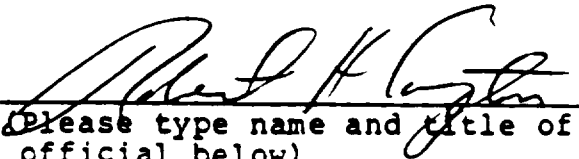
By Andrew F. Hodges
(Please type name and title of
official below)
Senior Counsel
Georgia-Pacific Corporation

10 11 0022

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Ashland Enterprise One, Inc.
Respondent
(Please type name)

By 
(Please type name and title of
official below)

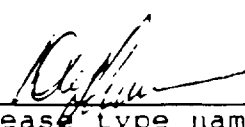
Robert H. Compton
Vice President

10 11 0023

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Associated Aerospace Activities, Inc.
Respondent (Please type name)


By: (Please type name and title
of Official below)

D. E. Johnson
President

XXIV. NOTICE TO THE STATE

EPA has notified the State of Florida pursuant to the requirements of Section 106(a) of CERCLA.

XXV. TERMINATION AND SATISFACTION

The provisions of this Consent Order shall be deemed satisfied upon the Respondents' receipt of written notice from EPA that the Respondents have demonstrated, to the satisfaction of EPA, that all of the terms of this Consent Order, including any additional tasks which EPA has determined to be necessary, have been completed and that those actions are consistent with the National Contingency Plan. Upon receipt by Respondents of the above notice, Respondents shall be released from any claim for the cost of a Remedial Investigation/Feasibility Study for the Yellow Water Road Site. The costs incurred by respondents in performing the RI/FS shall not be deemed to be a penalty.

IT IS SO AGREED AND ORDERED:

BY: _____

Lee A. DeHihns, III
Acting Regional Administrator
U. S. Environmental Protection Agency
Region IV

Date

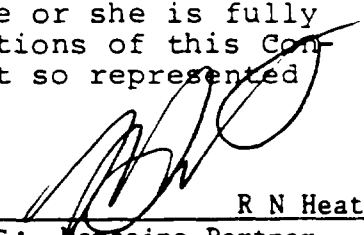
EFFECTIVE DATE: _____

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

BAROCO ELECTRIC CONSTRUCTION COMPANY
Respondent

By: _____


R N Heath
Its: Managing Partner

10 11 0025

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CITY OF BOCA RATON

Respondent (Please type name)

Richard H. Witker
By: (Please type name and title
of Official below)
Richard H. Witker,
City Manager

10 11 0026

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CertainTeed Corporation
Respondent
(Please type name)

By Curtis M. Pontz
(Please type name and title of
official below)
Curtis M. Pontz, Esquire
Senior Counsel and Assistant
Secretary

CONSENT

10 11 0027

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Champion International Corp.
Respondent
(Please type name)

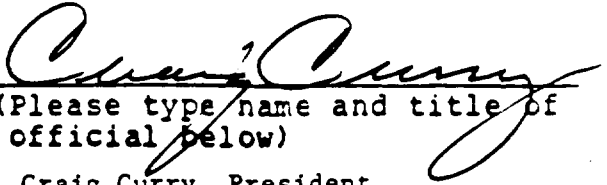
By Kevin T. Salter
(Please type name and title of
official below)
Kevin T. Salter
Associate Counsel

10 11 0028

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CITY OF OCALA, FLORIDA
Respondent
(Please type name)

By 
(Please type name and title of
official below)
Craig Curry, President
Ocala City Council

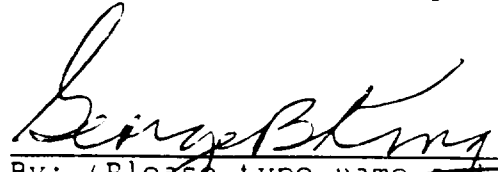
3. 1/21
10:11-0029

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

City of Onawa

Respondent (Please type name)



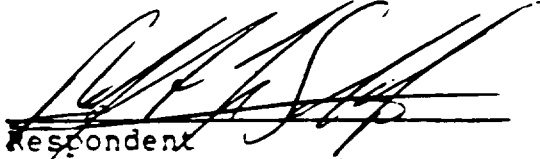
By: (Please type name and title
of Official below)

Mayor, George B. King

CONSENT

10 11 0030

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.



Respondent

(Please type name)

RALPH SCHENCK, MAYOR
CITY OF LAKE WORTH, FLORIDA

By 

(Please type name and title of official below)

BARBARA A. FORSYTHE, CMC
CITY CLERK

10 11 0031

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CITY OF LEESBURG
Respondent
(Please type name)

By Sanna Henderson as Mayor
(Please type name and title of
official below)

Sanna Henderson, Mayor/Commissioner

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Further, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Dated this 10th day of September, 1987.

Commonwealth Aluminum
Corporation (formerly
known as Martin Marietta
Aluminum, Inc.)

Respondent

By: Martin Marietta Corporation
as attorney in fact for
Commonwealth Aluminum
Corporation


C. E. Carnahan, Vice President

Certification

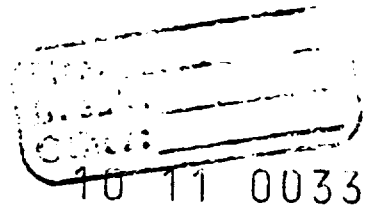
The undersigned hereby certifies that Commonwealth Aluminum Corporation has authorized Martin Marietta Corporation to act in its stead and behalf in the above matter pursuant to a Power of Attorney given to it by such company and states at the time of execution hereof such Power of Attorney is in full force and effect.

Dated this 10th day of September, 1987.

Martin Marietta Corporation


John C. Peterson
Assistant General Counsel

CONSENT



The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CONNECTICUT NATURAL GAS CORPORATION

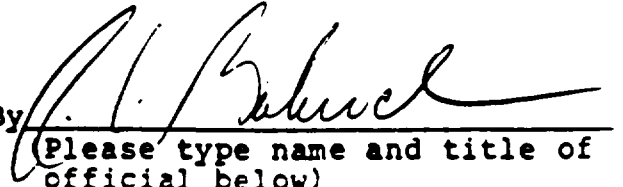
Respondent

(Please type name)

100 Columbus Blvd.

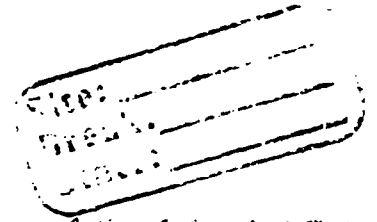
Hartford, Connecticut 06103

By


(Please type name and title of official below)

Reginald L. Babcock
Its: Secretary and Counsel

CONSENT



10 11 0034

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CONSOLIDATED MINERALS, INC.
Respondent
(Please type name)

By F. Browne Gregg
(Please type name and title of
official below)

F. Browne Gregg
President/Chairman

CONSENT

10:11 0035

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Consolidated Rail Corporation

By

Clifford W. Owens

Clifford W. Owens

Vice President-


Engineering and Staff

CONSENT

Site: _____
Track: _____
Other: _____
10 11 0036

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CONTINENTAL GRAIN COMPANY
Respondent
(Please type name)

By 
(Please type name and title of
official below)
Gerard J. Schulte, Jr.
Assistant General Counsel

CONSENT

10-11-0037

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

CSX TRANSPORTATION

Respondent
(Please type name)

By

Dale H. Bitter
(Please type name and title of
official below)

Dale H. Bitter
AVP-Risk Management
CSX Transportation

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Digital Equipment Corporation
Respondent
(Please type name)

By *Laura J. Galdi*
(Please type name and title of
official below)
Environmental Attorney

CONSENT

10-11-0039

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

DUAL-LITE, INC.
Respondent

By


John P. Moriarty
Vice President - Finance

10 11 0040

CONSENT

DATE:	
TIME:	
INITIALS:	

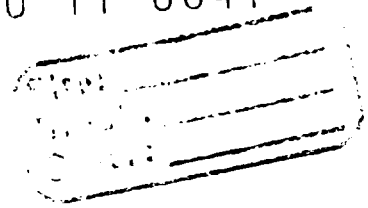
The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Dunlop Tire Corporation
Respondent
(Please type name)

By James Fox
(Please type name and title of official below)

JAMES FOX
VICE-PRESIDENT & SECRETARY

10 11 0041

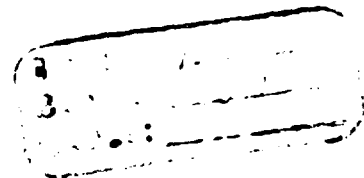


CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

E. I. Du Pont De Nemours and Company, Inc.,
Respondent

By JW Keiter
J. W. Keiter
Senior Counsel

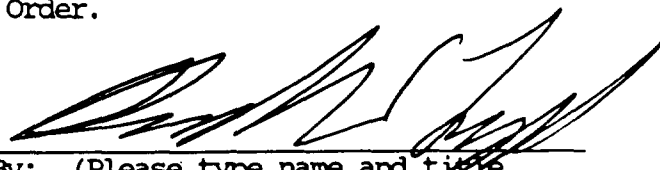


10 11 0042

YELLOW WATER ROAD RI/FS CONSENT

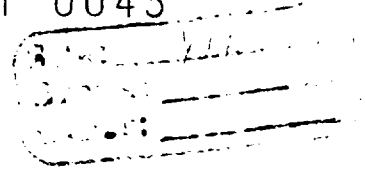
The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Electro-Coal Transfer Corporation
Respondent (Please type name)


By: (Please type name and title
of Official below
David W. Lynd
Director of Administration

10 11 0043

CONSENT



The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Environmental Waste Removal, Inc.

NKA: Environmental Waste
Resources, Inc.

Respondent
(Please type name)

By David J. Green
(Please type name and title of
official below)

David J. Green, President

10 11 0044

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

FMC Corporation
Respondent
(Please type name)

By Robert J. Fields
(Please type name and title of
official below)
Robert J. Fields
Associate General Counsel and
Assistant Secretary

10 11 0045

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

GOLD KIST INC.

Respondent
(Please type name)

By 

(Please type name and title of
official below)

10 11 0046

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Golden Valley Electric Association

Respondent (Please type name)

W. H. O'Riordan
By: (Please type name and
title of Official
below)

DATED this 21st day of March, 1990.

W. Hugh O'Riordan, Esq.
LINDSAY, HART, NEIL & WEIGLER
350 No. 9th, Suite 400
Boise, ID 83702

10 11 0047

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

GREEN RIVER STEEL CORPORATION

Respondent (Please type name)

Alan Shaw

By: (Please type name and title
of Official below)

Alan Shaw, Vice President

CONSENT

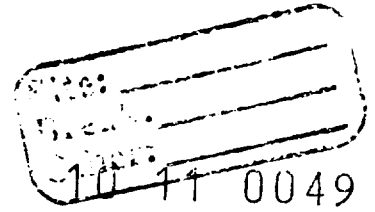
The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Gulf+Western Inc.

Respondent
(Please type name)

By Earl H. Doppelt
(Please type name and title of
official below)

Earl H. Doppelt
Vice President &
Deputy General Counsel



CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

GULF STATES PAPER CORPORATION
Respondent
(Please type name)

By Jon Warner
(Please type name and title of
official below)
Jon Warner, President

Yellow Water Road RI/FS

10 11 0050

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

H.F.C. Feeds, Inc. (Mar-Jac Processing, Inc.)

Respondent (Please type name)

By: M. D. Mohamed
(Please type name and
title of Official below)

Mahmoud D. Mohamed
Vice President Finance

CONSENT

10 11 0051

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Andrew F. Hodges
Respondent
(Please type name)

By Andrew F. Hodges
(Please type name and title of
official below)
Senior Counsel
Georgia-Pacific Corporation

10 11 0052

BOX TELECOPIER 295 : 9-18-87:11:21 AM;

CCITT G3 +

9072762493 : # 2

9/18/87 11:26

NO. 147

P022

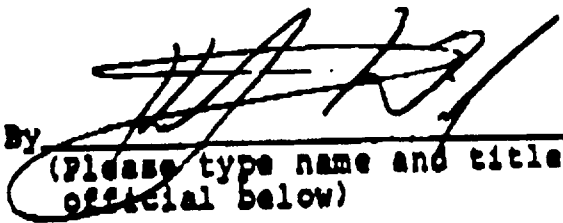
RECEIVED SEP 18 1987

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

B. Kent Wick 9/17/87

Respondent
(Please type name)

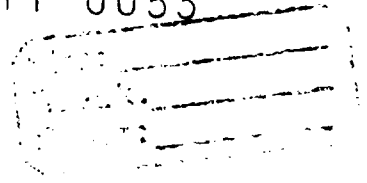
By 
(Please type name and title of official below)

Homer Electric Association, Inc.
3977 Lake Street
Homer, AK 99603
(907) 235-8167

EPA
Administrative Order By Consent
Yellow Water Road Site, Florida
Docket No: 87-17-C

10 11 0053

CONSENT



The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

HONEYWELL INC.
(Respondent)

BY *for Ronald L. Vignali*
CARL L. VIGNALI
Vice President and General
Manager
Space and Strategic
Avionics Division

BY *Gregory C. Woessner*
GREGORY C. WOESSNER
Vice President, Florida
Operations
Military Avionics Division

10 11 0054
Site: _____
Break: _____
Cover: _____

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

ITT Fluid Products Corporation
(Formerly ITT Grinnell Corporation)

Respondent
(Please type name)

By Menotti J. Lombardi
(Please type name and title of
official below)

Menotti J. Lombardi
Vice President

10 11 0055

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

J.P. Stevens & Co., Inc.
Respondent
(Please type name)

Date 9/11/52

By Jerry E. Hunter
(Please type name and title of
official below)

Jerry E. Hunter
Vice President
Technical Services
J.P. Stevens & Co., Inc.
Post Office Box 2850
Greenville, South Carolina 29602

CONSENT

10 11 0056

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Kaiser Aluminum & Chemical
Corporation
Respondent
(Please type name)

By 

(Please type name and title of
official below)

A. S. Hutchcraft, Jr.
President





10 11 0057

3:00:00
3:00:00
3:00:00

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

KEMIRA, INC.

By Thomas B. Worsham, Jr.
Thomas B. Worsham, Jr.
President

10 11 0058

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

KOCH HYDROCARBON COMPANY,
a division of Koch Industries, Inc.
Respondent

By W. C. Stanford
W. C. Stanford
Vice President

Low Water Road RI/FS

XXIV. NOTICE TO THE STATE

EPA has notified the State of Florida pursuant to the requirements of Section 106(a) of CERCLA.

XXV. TERMINATION AND SATISFACTION

The provisions of this Consent Order shall be deemed satisfied upon the Respondents' receipt of written notice from EPA that the Respondents have demonstrated, to the satisfaction of EPA, that all of the terms of this Consent Order, including any additional tasks which EPA has determined to be necessary, have been completed and that those actions are consistent with the National Contingency Plan. Upon receipt by Respondents of the above notice, Respondents shall be released from any claim for the cost of a Remedial Investigation/Feasibility Study for the Yellow Water Road Site. The costs incurred by respondents in performing the RI/FS shall not be deemed to be a penalty.

IT IS SO AGREED AND ORDERED:

BY: Lee A. DeHihns, IIISEP 24 1987

Lee A. DeHihns, III
Acting Regional Administrator
U. S. Environmental Protection Agency
Region IV

Date

EFFECTIVE DATE: September 24, 1987CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Limitorque Corporation
Respondent (Please type name)

Richard S. March
By (Please type name and
title of Official below)
RICHARD S. MARCH, Esquire
Attorney for Limitorque
Corporation

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

MacMILLAN BLOEDEL INC.

MacMillan Bloedel Inc.

Respondent

(Please type name)

By X

Samuel M. Schrader

(Please type name and title of official below)

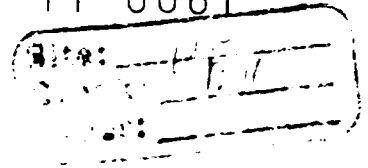
Samuel M. Schrader

Vice-President, Pulp & Paper Manufacturing

APPROVED	
AS TO FORM	Rtz
AS TO CONTENT	Rtz

10 11 0061

CONSENT



The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

A. E. Maloy

Respondent
(Please type name)

By

A. E. Maloy
(Please type name and title of
official below)

A. E. Maloy
Plant Manager

10 11 0062

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

MEPCO/CENTRALAB, INC.

Respondent
(Please type name)

By Trygve M. Tonnessen
(Please type name and title of
official below)

Trygve M. Tonnessen
Vice President and Chief Financial Officer


10 11 0063

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him to the Consent Order.

METRO-NORTH COMMUTER RAILROAD COMPANY

Respondent (Please type name
of Company below)



By: (Please type name and
title of official below)

WALTER E. ZULLIG, JR.

GENERAL COUNSEL AND SECRETARY

10 11 0064

CONSENT

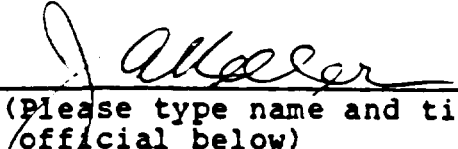
The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

NATIONAL GYPSUM COMPANY

Respondent

(Please type name)

By


(Please type name and title of
official below)

Joseph A. Keller
Senior Vice President-Research
and Technology

10 11 0065

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Nestle Foods Corporation
Respondent (Please type name)

By: J. M. Evans
Please type name and title
of Official below)

J.M. Evans
Vice President

10 11 0066

Site:	
By:	
Date:	

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Orlando Utilities Commission
Respondent
(Please type name)

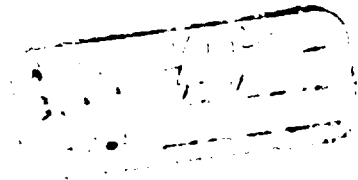
By



(Please type name and title of -
official below)

W. H. Herrington
Manager, Electric Operations


10 11 0067



YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

PIMA COUNTY COMMUNITY COLLEGE DISTRICT
Respondent (Please type name)

X 
By: (Please type name and title
of Official below)

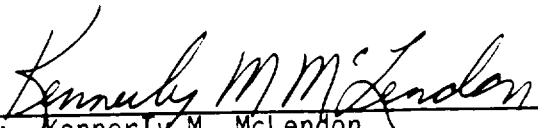
Dr. Jeff Hockaday
Chancellor

10 11 0068

YELLOW WATER ROAD RI/FS CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to all of its terms except paragraph XX as Respondent is an agency of the State of South Carolina prohibited from indemnifying or agreeing to hold harmless any person or entity. Furthermore, the signatory to this order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

South Carolina Department of Mental Health
Respondent


By: Kennerly M. McLendon
General Counsel

Columbia, South Carolina

March 21, 1991

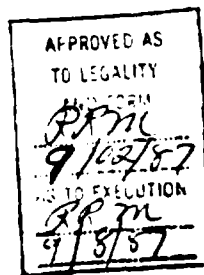
Site: _____
In. No. _____
Date: _____
10 11 0069

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

South Carolina Electric &
Gas Company
Respondent
(Please type name)

By Osmond W. Dixon
(Please type name and title of
official below)
Osmond W. Dixon
Senior Vice President-Operations



CONSENT

Date:	_____
Book:	_____
Page:	_____
10 11 0070	

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Southern Wood Piedmont Company
Respondent
(Please type name)

By Timothy H. Brannon
(Please type name and title of
official below)

Timothy H. Brannon
Vice President and Chief Operating Officer

For: Docket No: 87-17C
Yellow Water Road Site
RI/FS

10⁶ 11 0071

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

State of Florida

Department of General Services By

Respondent

(Please type name)

Ronald W. Thomas
(Please type name and title of
official below)

Ronald W. Thomas
Executive Director
Department of General Services

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

SUGAR CANE GROWERS
COOPERATIVE OF FLORIDA

Respondent
(Please type name)

By Joseph H. Wadsworth
(Please type name and title of
official below) President

Date: September 8, 1987

10 11 0073

File:	YWK
Date:	10 11

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

SUWANNEE VALLEY ELECTRIC
COOPERATIVE, INC.

BY: Gene V. Fox
GENE FOX, General Manager

10 11 0074

CONSENT

DATE	10/11/00
TIME	07:40
BY	
FOR	

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Respondent
(Please type name)

By Jack Buttrum
(Please type name and title of
official below)

Jack Buttrum, President
Swanson-Nunn Electric Company

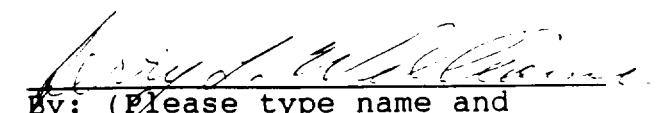
10 11 0075

YELLOW WATER ROAD RI/FS

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Tampa Electric Company
Respondent (Please type name)


By: (Please type name and
title of Official below)

Jerry L. Williams
Director, Environmental

10 11 0076

Site:	
Date:	
Time:	

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

UNION CAMP CORPORATION

Respondent

(Please type name)

By

J. H. Ballengee

(Please type name and title of official below)

J. H. Ballengee

Senior Vice President

Site:	_____
Block:	_____
Other:	_____

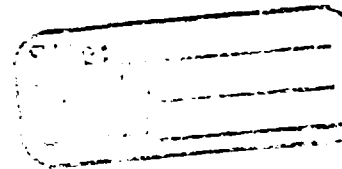
CONSENT

10 11 0077

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Respondent
(Please type name)
Union Oil Company
of California dba Unocal


By Walter W. Crim
(Please type name and title of
official below)
Walter W. Crim
Assistant Counsel



10 11 0078

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.


University of South Carolina

BY: J. Steven Beckham

TITLE: Chief Executive Assistant
to the President

10 11 0079

YELLOW WATER ROAD RI/FS CONSENT

The Respondents identified below hereby consent to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

Westvaco Corporation
Respondent (Please type name)

O. B. Burns, Jr.
By: (Please type name and title
of Official below)

O. B. Burns, Jr.
Vice President

10 11 0080

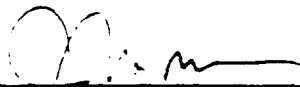
FILED
NOV 11 1960
FBI - MEMPHIS

CONSENT

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.


WINN-DIXIE STORES, INC.

By


J. S. Bryan, Jr., Vice-President,
General Counsel & Secretary

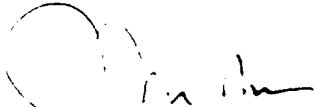
WINN-DIXIE MONTGOMERY, INC.

By


J. S. Bryan, Jr., Vice-President
& Secretary


WINN-DIXIE TEXAS, INC.

By


J. S. Bryan, Jr., Vice-President
& Secretary

CRACKIN' GOOD BAKERS, INC.

By


J. S. Bryan, Jr., Vice-President
& Secretary

CONSENT

10 11 0081

The Respondent identified below hereby consents to the issuance of this Consent Order and to its terms. Furthermore, the signatory to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the Respondent so represented by him or her to the Consent Order.

WITHLACOOCHEE RIVER ELECTRIC
COOPERATIVE, INC.

Respondent

(Please type name)

By

Billy E. Brown

(Please type name and title of
official below)

Billy E. Brown, General Manager